Federal Communications Commission
Enforcement Bureau
Region One

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April 17, 2025

BY FIRST CLASS MAIL AND UPS

John T. Calhoun
Woodbridge, Virginia

NOTICE OF UNLICENSED OPERATION

Case Number: EB-FIELDNER-24-00036736

The Federal Communications Commission (FCC or Commission) received a complaint from the Stafford County, Virginia Sheriff's Office (Sheriff) concerning interference to the Stafford County P25 public safety radio communications system (Stafford County System) operating countywide on certain exclusively licensed radio frequencies. In June 2024, Agents from the Columbia, Maryland Field Office of the FCC's Enforcement Bureau (Bureau) conducted an investigation and determined that the source of interference to the Stafford County System was a radio transmitting signals in an attempt to self-authenticate and thereby gain access to the Stafford County System. The signals were emanating from a handheld Motorola APX7000 two-way radio that generated a unique identification code and had apparently been illegally programmed to operate on Stafford County System's licensed frequencies. The investigation identified you—John T. Calhoun—as the radio's operator. You stated to Sheriff investigators that you had programmed the radio with the Stafford County System's frequencies and that you were operating the radio at the time it made a self-authentication transmission in an attempt to gain access to the Stafford County System.

Radio stations, such as the one you admitted to operating, must be licensed by the FCC pursuant to section 301 of the Communications Act of 1934, as amended (Act).[1] The only exception to this licensing requirement is for certain transmitters using or operating at a power level or mode of operation that complies with the standards established in part 15 of the Commission's rules.[2] Non-licensed operation pursuant to part 15 of the Commission's rules, however, is conditioned upon compliance with all applicable regulations in the subpart.[3] All intentional radiators operating pursuant to part 15 of the FCC's rules must be certified for use as a part 15 device,[4] and failure to operate such device consistent with its authorization violates part 15 of the Commission's rules. The investigation determined the Motorola APX7000 two-way radio is not certified as a part 15 device.[5] An individual operating any radio

[1] 47 U.S.C. § 301.

[2] 47 CFR §§ 15.1, *et seq.*

[3] 47 CFR § 15.1(b).

[4] 47 CFR § 15.201(b).

[5] The Motorola APX7000's FCC ID number is AZ489FT7059.

transmitter on certain frequencies exclusively licensed for public safety use requires a license.[6] The FCC has no record of a license being issued to you to operate a radio on the Stafford County System's frequencies. Thus, your operation is in violation of section 301 of the Act[7].

Operation of radio transmitting equipment without a valid FCC authorization or license is a violation of section 301 of the Act[8] and may subject the responsible parties to substantial monetary fines, *in rem* arrest action against the offending radio equipment, and criminal sanctions including imprisonment. Because unlicensed operation creates a danger of interference to important radio communications services and may subject the operator to severe penalties, this letter emphasizes the importance of complying strictly with these legal requirements.[9]

UNAUTHORIZED OPERATION OF THIS RADIO TRANSMITTING DEVICE MUST CEASE IMMEDIATELY AND MUST NOT RESUME.

You have ten (10) days from the date of this notice to respond concerning your operation of this part 15 device. Your response should describe the steps you are taking to avoid operating on unauthorized frequencies and preventing future interference. Your response should be sent to the address in the letterhead and reference the listed case number. Under the Privacy Act of 1974,[10] we are informing you that the Commission's staff will use all relevant material information before it to determine what, if any, enforcement action is required to ensure your compliance with FCC rules. This will include any information that you disclose in your reply.

You may contact this office if you have any questions.

David C. Dombrowski
Regional Director, Region One
Enforcement Bureau

Enclosures
Excerpts from the Communications Act of 1934, As Amended
Enforcement Bureau, "Inspection Fact Sheet", March 2005

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[6] *See* 47 CFR § 90.15, 90.20.

[7] 47 U.S.C. § 301.

[8] *Id*.

[9] *See* 47 U.S.C. §§ 401, 501, 503 and 510.

[10] 5 U.S.C. § 552a(e)(3).